

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

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|--------------------------|---|--------------------------------------|
| UNITED STATES OF AMERICA | § | |
| | § | |
| VS. | § | MAGISTRATE JUDGE NO. 2:15-MJ-00095-2 |
| | § | |
| MONICA JEAN RUBIO | § | |

**MEMORANDUM OPINION AND
ORDER OF DETENTION PENDING TRIAL**

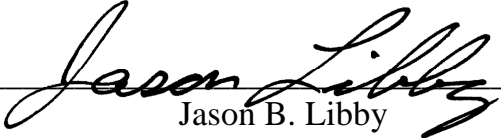
A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). Detention of the defendant pending trial in this case is necessary because there is a serious risk that the defendant will not appear.

The evidence against the defendant meets the probable cause standard. The defendant is currently on bond in a state felony case. Based on the allegations in the instant case, the bonding company in the state case has notified U.S. Pretrial Services of its intent to surrender the bond. The defendant has shown an inability or unwillingness to comply with a fundamental condition of any bond, that is, the condition that the person released not commit felony violations of law while released and pending prosecution. The defendant's noncompliance causes the undersigned to find there is a serious risk the defendant will not be compliant with conditions of release in the instant case, which include the condition she appear in court as directed. Further, the defendant has ties to Mexico, a history of substance abuse, two prior documented instances of transporting undocumented aliens and she is currently unemployed. Therefore, the Court agrees with

the findings and conclusions contained in the Pretrial Services Report and they are hereby adopted.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 29th day of January, 2015.


Jason B. Libby
United States Magistrate Judge